

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MATTHEW W. HALL and
MICHAEL F. CAREY,**

Plaintiffs,

v.

**ABINGTON MEMORIAL HOSPITAL,
d/b/a ABINGTON HOSPITAL-
JEFFERSON HEALTH,**

Defendant.

**CIVIL ACTION
NO. 22-2429**

ORDER

AND NOW, this September 22, 2023, upon consideration of the Plaintiffs' Complaint (ECF No. 1), the Defendant's Motion to Dismiss (ECF No. 11), the Plaintiffs' Response in Opposition to the Motion to Dismiss (ECF No. 14), Defendant's Reply Brief in Further Support of Its Motion to Dismiss (ECF Nos. 15 & 16), and the representations made by counsel at the Initial Pretrial Conference held on May 16, 2023, it is hereby **ORDERED** as follows:

1. The Motion to Dismiss (ECF No. 11) is **GRANTED**;
2. The Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** to the plaintiff filing an amended complaint;
3. The Plaintiffs shall have until **October 13, 2023**, to file an amended complaint. Any amended complaint must comply with Part III.E.5 of Judge Scott's Policies and Procedures; and
4. If the Plaintiffs do not file an amended complaint by October 13, 2023, the court will deem the Plaintiffs to be standing on their original complaint and will dismiss this action with prejudice and close the case without further notice to the parties. Alternatively, if the Plaintiffs intend not to file an amended complaint and will stand on their complaint as originally

pleaded, they may file a notice with the court stating that intent, and this court will promptly issue a final order dismissing the case with prejudice.

BY THE COURT:

/s/ Kai N. Scott

HON. KAI N. SCOTT

United States District Court Judge